



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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EXPORT DEVELOPMENT CANADA :  
 :  
Plaintiff, :  
 :  
- against - :  
 :  
EAST COAST POWER & GAS, LLC, :  
 :  
Defendants. :  
-----X

21-CV-3758 (NRB) (RWL)

## ORDER

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

As discussed at the post-judgment discovery conference held on August 15, 2023, the parties' disputes raised at Dkts. 29-32 are resolved as follows:

### **Plaintiff's Interrogatories to Defendants**

1. Defendant's objections based on SDNY Local Rule 22.1 are overruled.
2. Defendant must answer interrogatories 2, 3, 4, 5, 7, 11, 12, 13, 14, 15, 17, 18, 19 21.
3. Defendant need not answer interrogatories 1, 6, 8, 9, 10, 16, 20.

### **Plaintiff's Requests For Production of Documents to Defendants**

1. Defendant's objections, with the exception of assertions of privilege, are overruled with respect to RFPs 1, 2, 3, 9, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32.
2. For any assertion of privilege, Defendant must include on a log the information required for assertion of privilege pursuant to Fed. R. Civ. P. 26. Plaintiff retains the right to challenge any assertion of privilege. Defendant shall produce a complete privilege log within 30 days of completing document production.

3. With respect to RFP 23, Defendant shall produce documents sufficient to show all creditor claims, without prejudice to Plaintiff seeking additional documents in the event there are good faith grounds to do so.

4. With respect to RFPs 4, 5, 6, 7, 8, and 13, Defendant's objections based on the number of sentences and allegations are sustained, without prejudice to Plaintiff asserting more specific requests.

5. Defendant shall produce documents on a rolling basis. Defendant shall produce all documents by October 15, 2023.

6. By August 22, 2023, Plaintiff and Defendant shall each submit a proposed order for protection of confidential information.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: August 15, 2023  
New York, New York

Copies transmitted this date to all counsel of record.